

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

VERA-JEAN G. RANDALL,

Plaintiff,

Case No. 3:17-mc-12

vs.

L-3 COMMUNICATIONS CORP., *et al.*,

District Judge Thomas M. Rose

Magistrate Judge Michael J. Newman

Defendants.

**ORDER DENYING MOVANTS' MOTION
FOR ISSUANCE OF A SUBPOENA (DOC. 1)**

This miscellaneous matter is before the Court on the motion for issuance of a subpoena filed by movants L-3 Communications Corporation and John T. DeMonic, Jr. Doc. 1. Movants seek an order directing the Clerk to issue a subpoena directed to the United States Air Force that requests the production of documents in connection with a civil action pending in the 191st Judicial District of Dallas County, Texas (Case No. DC-16-12264). *Id.* Because the action for which movants seek discovery is not pending in this Court, the subpoena requested by movants would be facially invalid and unenforceable. *See* Fed. R. Civ. P. 45(a)(2) (stating that “[a] subpoena must issue from the court where the action is pending”); *see also U.S. Risk Ins. Grp., Inc. v. U.S. Risk Mgmt., LLC*, No. 3:11-CV-2843-M-BN, 2014 WL 4055372, at *1 (N.D. Tex. Aug. 15, 2014) (holding that “[a] subpoena that violates Rule 45(a)(2)’s requirement is facially invalid and cannot be enforced”). Accordingly, movant’s motion (doc. 1) is **DENIED**.

IT IS SO ORDERED.

Date: January 3, 2018

s/ Michael J. Newman

Michael J. Newman

United States Magistrate Judge